
By: **Senator Stoltzfus**
Introduced and read first time: January 22, 2003
Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Law Enforcement - Forfeited Property and Agency-Owned Handguns -**
3 **Disposition**

4 FOR the purpose of authorizing certain law enforcement units to dispose of certain
5 forfeited property by selling, exchanging, or transferring the property to
6 federally licensed gun dealers; authorizing certain law enforcement agencies
7 seeking to dispose of handguns owned by the agencies to sell, exchange, or
8 transfer the handguns to federally licensed gun dealers; and generally relating
9 to the disposition of forfeited property and handguns by law enforcement units.

10 BY repealing and reenacting, with amendments,
11 Article - Criminal Procedure
12 Section 13-206(a)
13 Annotated Code of Maryland
14 (2001 Volume and 2002 Supplement)

15 BY repealing and reenacting, with amendments,
16 Article - Public Safety
17 Section 3-501
18 Annotated Code of Maryland
19 (As enacted by Chapter ___ (S.B. 1) of the Acts of the General Assembly of 2003)

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
21 MARYLAND, That the Laws of Maryland read as follows:

22 **Article - Criminal Procedure**

23 13-206.

24 (a) Whenever property is forfeited under this subtitle, the law enforcement
25 unit that sought forfeiture of the property may only:

26 (1) order the property retained for the official use of the law enforcement
27 unit;

1 (2) destroy the forfeited property; [or]

2 (3) sell, exchange, or transfer the forfeited property to another law
3 enforcement unit for official use by that unit; OR

4 (4) SELL, EXCHANGE, OR TRANSFER THE FORFEITED PROPERTY TO A
5 FEDERALLY LICENSED GUN DEALER.

6 **Article - Public Safety**

7 3-501.

8 A law enforcement agency seeking to dispose of a handgun owned by the agency
9 shall:

10 (1) destroy the handgun;

11 (2) sell, exchange, or transfer the handgun to another law enforcement
12 agency for official use by that agency;

13 (3) SELL, EXCHANGE, OR TRANSFER THE HANDGUN TO A FEDERALLY
14 LICENSED GUN DEALER;

15 (4) sell the handgun to a retired police employee in accordance with §
16 2-415(c) of this article; or

17 [(4)] (5) sell the handgun to the law enforcement officer to whom the
18 handgun was assigned.

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 October 1, 2003.